

Daniel A. Frishberg
Pro se

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

)	
In re:)	Chapter 11
)	
CELSIUS NETWORK LLC, <i>et al.</i> , ¹)	Case No. 22-10964 (MG)
)	
Debtors.)	(Jointly Administered.)
)	
DANIEL FRISHBERG,)	
)	
Plaintiff,)	
)	Adv. Pro. No. 22-01179 (MG)
v.)	
)	
CELSIUS NETWORK LLC;)	
CELSIUS KEYFI LLC;)	
CELSIUS LENDING LLC;)	
CELSIUS MINING LLC;)	
CELSIUS NETWORK INC.;)	
CELSIUS NETWORK LIMITED;)	
CELSIUS NETWORKS LENDING LLC;)	
and CELSIUS US HOLDING LLC.)	
)	
)	
Defendants.)	
)	

DANIEL A. FRISHBERG’S DEMAND FOR A TRIAL BY JURY
UNDER RULE 38

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: Celsius Network LLC (2148); Celsius KeyFi LLC (4414); Celsius Lending LLC (8417); Celsius Mining LLC (1387); Celsius Network Inc. (1219); Celsius Network Limited (8554); Celsius Networks Lending LLC (3390); and Celsius US Holding LLC (7956). The location of Debtor Celsius Network LLC’s principal place of business and the Debtors’ service address in these chapter 11 cases is 121 River Street, PH05, Hoboken, New Jersey 07030.

Daniel A. Frishberg (“Mr. Frishberg”), hereby requests/demands (the “Request”) a trial by jury on all issues so triable.

Pro Se Relief

Mr. Frishberg repeats and reincorporates all of his previous requests for *pro se* relief, as well as a general request for any relief afforded to *pro se*, including ones he may not have requested due to not knowing they exist.

Request

Federal Rules Of Civil Procedure Rule 38 in relevant part states:

“(a) RIGHT PRESERVED. The right of trial by jury as declared by the Seventh Amendment to the Constitution—or as provided by a federal statute—is preserved to the parties inviolate.

(b) DEMAND. On any issue triable of right by a jury, a party may demand a jury trial by:

(1) serving the other parties with a written demand—which may be included in a pleading—no later than 14 days after the last pleading directed to the issue is served; and

(2) filing the demand in accordance with Rule 5(d).

(c) SPECIFYING ISSUES. In its demand, a party may specify the issues that it wishes to have tried by a jury; otherwise, it is considered to have demanded a jury trial on all the issues so triable. If the party has demanded a jury trial on only some issues, any other party may—within 14 days after being served with the demand or within a shorter time ordered by the court—serve a demand for a jury trial on any other or all factual issues triable by jury.”

Mr. Frishberg reserves all rights, including but not limited to the right to have this case heard in the District Court. To the extent that I do decide to consent to this court's initial judgment on non-core issues, I ask that the Court issue findings of fact and conclusions of law on all non-core issues for *de novo* review by the District Court.

Respectfully submitted,

Daniel A. Frishberg, *Pro Se*

/s/ Daniel A. Frishberg

Tampa, Florida, USA

March 9th, 2023